

DISCUSSION OF THE CLAIMS

Claims 1-29 are active in the present application. Independent Claim 1 is amended to recite an anionic dispersant in a reactive phase. Support for the amendment is found in paragraphs [0040]-[0045] of the pre-grant publication of the present application, i.e., U.S. 2007/0167558. Claims 18-29 are new claims. Support for the new claims is found in the previously presented claims and as noted above for the amendment to independent Claim 1. Claim 19 is a new independent claim. Support for the new independent claim is found with support for the amendment Claim 1. Further, support for the term “non-cellulose aqueous dispersion” is found throughout the specification of the present application including: paragraphs [0062], [0074] which describes the inclusion of non-cellulose-type additives to an aqueous dispersion used as a reactive size for treating fibers.

No new matter is believed to have been added by this amendment.

REMARKS

Independent Claims 1 and 19 are drawn to aqueous dispersions that include a reactive phase comprising an anionic dispersant. The anionic dispersant of independent Claim 1 is at least one selected of a group of particular condensates and/or polymers. New dependent Claim 18 further defines the condensates that may be the anionic dispersant of Claim 1.

Claim 19 is a new independent claim drawn to a non-cellulose aqueous dispersion. As expressly stated in the preamble of new Claim 19, the claimed aqueous dispersion is “non-cellulose”; meaning, the composition does not contain any cellulose or cellulose-derived materials or additives.

The Office rejected the previously presented claims as obvious over Downey (U.S. 2,627,477) in combination with one or more secondary references, and for obviousness-type double patenting in view of co-pending 11/720,362.

Applicants submit that the presently pending claims are not obvious over the cited art. Unlike the claimed invention, the cited art does not disclose or suggest aqueous dispersions that include a reactive phase comprising an anionic dispersant as presently claimed. Because the cited art does not disclose or suggest all of the requirements of the present claims, it is appropriate to withdraw the rejections.

Claim 19 is a new independent claim drawn to a non-cellulose aqueous dispersion. Applicants submit that new Claim 19 is further patentable over the cited art, i.e., Downey, for the reason that the prior art compositions are cellulose-based whereas the presently claimed invention is non-cellulose aqueous dispersion. Applicants submit that cellulose-containing compositions and non-cellulose aqueous dispersions are mutually exclusive. Applicants submit that the subject matter of new Claim 19 is further patentable over the cited art because no overlap exists between the claimed composition and the compositions of the cited references.

For the reasons discussed above in detail, Applicants submit that withdrawal of the rejection and allowance of all now-pending claims is appropriate.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.  
Norman F. Oblon

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)



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Richard L. Treanor, Ph.D.  
Registration No. 36,379

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/09)

Stefan U. Koschmieder, Ph.D.  
Attorney of Record  
Registration No. 50,238